

ICMM1.4CP1RE

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Burzynski et al.  
Appl. No. : 10/614,543  
Filed : July 3, 2003  
For : SELF-BLUNTING NEEDLE MEDICAL  
DEVICES AND METHODS OF  
MANUFACTURE THEREOF  
Examiner : Unassigned

**ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION**  
**AND**  
**REVOCATION AND POWER OF ATTORNEY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). The original assignment is recorded at Reel 010341 and Frame 0802. This Assignment represents the entire chain of title of this invention from the Inventors to the Bio-Plexus, Inc. (a Connecticut Corporation). Attached hereto are copies of two documents: a Certificate of Incorporation of Bio-Plexus Delaware, Inc.; and a Certificate of Ownership and Merger of Bio-Plexus, Inc into Bio-Plexus Delaware, Inc. On page 2 of the Certificate of Ownership and Merger, the name of Bio-Plexus Delaware, Inc. is changed into Bio-Plexus, Inc. (a Delaware Corporation).

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

**Appl. No. : Unknown**

**Filed : Herewith**

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, **Customer No. 20,995**, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

Bio-Plexus, Inc.

Dated:

July 25, 2003

By:

Francis J. O'Brien

Francis J. O'Brien

Secretary

129 Reservoir Road

Vernon, CT 06066

H:\DOCS\PTH\ICU MEDICAL-BP\ICUMM1.4CPIRE\POA ICUMM1.4CPIRE.DOC  
062703

# Delaware

PAGE 1

*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED ARE TRUE AND CORRECT COPIES OF ALL DOCUMENTS ON FILE OF "BIO-PLEXUS, INC." AS RECEIVED AND FILED IN THIS OFFICE.

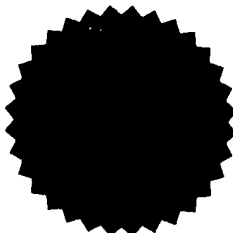
THE FOLLOWING DOCUMENTS HAVE BEEN CERTIFIED:

CERTIFICATE OF INCORPORATION, FILED THE SIXTEENTH DAY OF JULY, A.D. 2001, AT 11:45 O'CLOCK A.M.

CERTIFICATE OF OWNERSHIP, CHANGING ITS NAME FROM "BIO-PLEXUS DELAWARE, INC." TO "BIO-PLEXUS, INC.", FILED THE EIGHTEENTH DAY OF JULY, A.D. 2001, AT 1:45 O'CLOCK P.M.

CERTIFICATE OF OWNERSHIP, FILED THE THIRTEENTH DAY OF NOVEMBER, A.D. 2002, AT 2 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE AFORESAID CERTIFICATES ARE THE ONLY CERTIFICATES ON RECORD OF THE AFORESAID CORPORATION.



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

3414573 8100H

AUTHENTICATION: 2372138

030253484

DATE: 04-17-03



STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
FILED 11:45 AM 07/16/2001  
010342274 - 3414573

**CERTIFICATE OF INCORPORATION  
OF  
BIO-PLEXUS DELAWARE, INC.**

Pursuant to § 102 of the General Corporation Law  
of the State of Delaware

The undersigned, in order to form a corporation pursuant to Section 102 of the General Corporation Law of the State of Delaware, does hereby certify:

**FIRST:** The name of the Corporation is Bio-Plexus Delaware, Inc.

**SECOND:** The address of the Corporation's registered office in the State of Delaware is Corporation Trust Center, 1209 Orange Street in the City of Wilmington, County of New Castle, Delaware 19801. The name of its registered agent at such address is The Corporation Trust Company.

**THIRD:** The purpose of the Corporation is to engage in any lawful act or activity for which corporations may be organized under the General Corporation Law of the State of Delaware.

**FOURTH:** The aggregate number of shares which the Corporation shall have authority to issue is 30 Million (30,000,000), which shares are divided into two classes: (i) 5 Million (5,000,000) shares of Preferred Stock, par value \$0.001 per share, and (ii) 25 Million (25,000,000) shares of Common Stock, par value \$0.001 per share.

**FIFTH:** The name and mailing address of the Incorporator is as follows:

<u>Name</u>	<u>Mailing Address</u>
Thomas A. Schmatzhagen	Fried, Frank, Harris, Shriver & Jacobson One New York Plaza New York, NY 10004-1980

**SIXTH:** The Board of Directors is expressly authorized to adopt, amend, or repeal the by-laws of the Corporation.



CERTIFICATE OF OWNERSHIP AND MERGER  
OF  
BIO-PLEXUS, INC.  
INTO  
BIO-PLEXUS DELAWARE, INC.

---

Pursuant to Section 253 of  
the General Corporation Law of Delaware

---

Bio-Plexus, Inc., a corporation organized and existing under the laws of the state of Connecticut, DOES HEREBY CERTIFY:

FIRST: That Bio-Plexus Delaware, Inc., a corporation organized and existing under the laws of the state of Delaware (the "Corporation"), was incorporated on the 16<sup>th</sup> day of July 2001, pursuant to the General Corporation Law of the State of Delaware.

SECOND: That Bio-Plexus, Inc. was incorporated on the 4<sup>th</sup> day of September 1987, pursuant to the Connecticut Business Corporation Act.

THIRD: That Bio-Plexus, Inc. owns all of the outstanding shares of common stock, par value \$.001 per share, of the Corporation.

FOURTH: That Bio-Plexus, Inc., by the resolutions of its Board of Directors attached hereto as Exhibit A, duly adopted at a meeting of its members on the 2nd day of April 2001, determined to adopt and effect the proposed plan of reorganization under Chapter 11 of Title 11 of the United States Code, 11 U.S.C. §§ 101-1330, pursuant to which Bio-Plexus, Inc. would merge with and into the Corporation.

FIFTH: A plan of reorganization and agreement and plan of merger (the "Plan of Reorganization and Merger") has been approved, adopted, certified, executed and acknowledged

417183

STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
FILED 01:45 PM 07/18/2001  
010346662 - 3414573

by the Corporation in accordance with the provisions of Section 253 of the General Corporation Law of the State of Delaware and by Bio-Plexus, Inc. in accordance with the provisions of Chapter 601 of the General Statutes of the State of Connecticut.

SIXTH: The certificate of incorporation of the Corporation shall be the certificate of incorporation of the surviving corporation.

SEVENTH: The name of the Corporation shall be changed to Bio-Plexus, Inc. at the effective time of the merger.

EIGHTH: The executed Plan of Reorganization and Merger is on file at the office of the surviving corporation, the address of which is 129 Reservoir Road, Vernon, Connecticut 06066.

NINTH: A copy of the Plan of Reorganization and Merger will be furnished by the surviving corporation on request and without cost to any stockholder of any constituent corporation.

TENTH: This Certificate of Ownership and Merger shall be effective upon its filing date.

IN WITNESS WHEREOF, the undersigned has caused this Certificate to be signed by  
John S. Metz, its President and Chief Executive Officer, this 18th day of July 2001.

BIO-PLEXUS, INC.

By: /s/ John S. Metz  
John S. Metz  
President and Chief Executive Officer